

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9972 of 2018

Arising Out of PS.Case No. -15 Year- 2017 Thana -PARSABAZAR District- PATNA

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1. Ravi Kumar S/o Deo Lal Ram, R/o Mohalla- Etwarpur, P.S.- Parsa Bazar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 14-03-2018

Heard the learned counsels for the parties.

The petitioner, who is in custody since 04.02.2017 in connection with S.Tr. No. 359/2017, arising out of Parsa Bazar P.S. Case No. 15 of 2017 dated 01.02.2017 instituted for the offences under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act, seeks bail primarily on the ground that as against him, there is only suspicion without any foundation and that during the course of the investigation, it was found that at the instance of one Umesh and Vikash, the deceased was eliminated by hired criminals and the aforesaid Umesh and Vikash (father and son) and the hired criminals, viz. Rajesh and Raushan have already been granted bail.

The informant, who is the father of the deceased, has



alleged that the petitioner along with two others had come to his house and had taken the deceased along with them on a motorcycle to show him a plot of land which was to be purchased by the deceased. The informant also followed him on foot and no sooner had he reached near the place where the land was situated, he heard a gun shot. On hearing the gun shot, two other sons of the informant also came there. All of them, on going to some distance, found the deceased lying on the ground with gun shot in his chest and they also claimed to have seen the petitioner and others fleeing away.

Initially, after investigation, charge-sheet was submitted against the petitioner and others, but investigation with respect to other accused persons, whose names transpired during the course of investigation, continued and remained pending. Later, the wife of the deceased provided two telephone numbers of the deceased. One of the telephone numbers was found to be used by one Chandani. On such a lead, the house of Chandani was visited by the Investigating Agency.

The investigation reports, in supplementary case diary, further reveal that the husband of aforesaid Chandani was arrested, who disclosed that he along with two others had been hired by one Umesh and his son Vikash for eliminating the



deceased. Thereafter the deceased was killed. During the course of investigation, Umesh was also arrested, who confessed before the police that he owed a lot of money to the deceased, for which the deceased had been humiliating him and had unnecessarily added up a huge amount as interest on the money which Umesh was required to return to the deceased. Fed up by this act of the deceased, aforesaid Umesh intended to have the deceased killed and for the aforesaid purpose, he took the help of Rajesh and two others. Though, these materials have come only in the confession of the accused persons but there appears to be some link and continuity in the aforesaid story.

Since Raushan, Rajesh (husband of Chandani) and Umesh have been granted bail, there would be no justification for the petitioner now, to be kept in custody any further.

Mr. Ajay Thakur, learned Advocate appearing for the petitioner, submits that the case has already been committed to the court of Sessions.

Regard being had to the aforesaid facts, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IX, Patna in connection with Parsa



Bazar P.S. Case No. 15/2017, corresponding to S.Tr. No. 359/2017.

(Ashutosh Kumar, J.)

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